

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

UNITED STATES OF AMERICA

**CRIMINAL COMPLAINT**

vs.

CASE NUMBER:

0:12 MJ17 12 MAP

DEMETRIUS RENALDO BOWERS

I, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief. On or about September 23, 2012, in Hillsborough County; on or about September 25, 2012, in Pinellas County; and on or about September 27, 2012, in Hernando County, all within the Middle District of Florida, defendant did,

interfere with interstate commerce by robbery and brandish a firearm during and in relation to and in furtherance of a crime of violence,

in violation of Title 18, United States Code, Section(s) 1951(a) and 924(c). I further state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, and that this Complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Signature of Complainant  
Walton D. Lanier

Sworn to before me and subscribed in my presence,

November 19, 2012

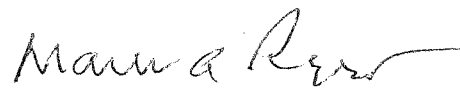
at

Tampa, Florida

MARK A. PIZZO

United States Magistrate Judge

Name &amp; Title of Judicial Officer



Signature of Judicial Officer

## **AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT**

Your affiant, Special Agent Walton D. Lanier of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), who after being duly sworn, deposes and states:

1. Affiant is a sworn federal law enforcement officer of the United States of America and thus, is charged with enforcing the laws of the United States and possesses the authority to request, obtain, and execute orders of United States Courts.
2. Affiant has over 23 years of law enforcement training and experience consisting of, but not limited to, earning a Bachelor of Science Degree in Criminal Justice; the successful completion of the Georgia State Patrol's Trooper School, and subsequent employment as a State Trooper in which he achieved the rank of Trooper First Class; the successful completion of the Georgia Bureau of Investigations Special Agent Program, and subsequent employment as a criminal investigator in which he achieved the position of Special Agent Principal; the successful completion of the Federal Law Enforcement Training Centers Criminal Investigator Training Program (CITP); and the successful completion of the ATF New Professional Training Program (NPT). While employed in these positions, Affiant received substantial additional training in subject matters specific to each position's requirements and challenges encountered in furtherance of law enforcement duties.
3. Affiant submits this affidavit in support of a criminal complaint against Demetrius Renaldo BOWERS. Based on the information contained herein, Affiant submits that probable cause exists to believe that BOWERS has committed violations of 18 U.S.C. § 1951(a) (interference with interstate commerce by robbery) and 18 U.S.C. §

924(c) (brandishing a firearm during and in relation to and in furtherance of a crime of violence). Specifically, there exists probable cause to believe that BOWERS committed the September 23, 2012 armed robbery of the Papa John's located at 7891 Gunn Highway in Tampa, Hillsborough County; the September 25, 2012 armed robbery of the Pizza Hut located at 4535 East Bay Drive in Largo, Pinellas County; and the September 27, 2012 armed robbery of the Domino's Pizza located at 13081 Spring Hill Drive in Spring Hill, Hernando County, Florida. Affiant submits only those facts believed to be relevant in the determination of probable cause, and this affidavit should not be construed as a complete statement of all the facts in this investigation. The events detailed below all occurred within the Middle District of Florida. Affiant derived the following pertinent facts through consultation with other law enforcement officers, a review of reports, and Affiant's personal investigative efforts.

#### **Background of Investigation**

4. Between Sunday, September 23, 2012 and Tuesday, November 4, 2012, eight armed robberies were committed in Hillsborough, Pinellas, and Hernando counties of various fast-food franchise type-establishments. As further detailed below, each armed robbery was committed in the middle of the night, the offender used a concrete block to smash the window of the victim business, and the robber carried a black semi-automatic type pistol. Each of the victim businesses participate in interstate commerce; they are interstate, if not international, franchise stores either owned by or with direct franchise control of these businesses by the franchise corporations. Supplies and inventory are received by these stores from vendors and sources that are either part of

these corporations or approved by these corporations with many of the supplies coming from outside the State of Florida, such as Coca Cola products. Further, monies taken during these armed robberies were proceeds, in whole or in part, from the sale of goods from outside the State of Florida, and a portion of these proceeds would have been utilized to maintain inventory to include items manufactured outside the State of Florida. Therefore, in addition to the disruption during the armed robberies and subsequent crime scene investigations, the resulting depletion of assets further interfered with the ability of these stores to continue to participate in interstate commerce.

5. Affiant submits that these eight armed robberies are serial offenses committed by the same offender(s) based on the following facts, as described in more detail below. The methods of entry into the stores utilized in committing these crimes are identical. There appears to be a clear pattern as to the dates and times these offenses occurred. The armed robberies have all been committed at the same type fast food restaurants and stores. The descriptions provided by victims are within reasonable ranges to have been the same suspect(s) when consideration is given to understandable deviations among the perceptions of these victims. The suspect repeatedly utilizes a black ski mask in concealing his identity and has a propensity on at least two incidents to wear it inside out. The descriptions of the firearm brandished are all consistent with possibly being the same type semi-automatic pistol. Also, where described by victims and/or observed in the surveillance video still images, indications are that the suspect brandishes the firearm in his right hand. Affiant has reviewed the statements of victims describing the firearm brandished during the robberies and reviewed still images from the video surveillance recordings that were obtained. Affiant

submits, based on Affiant's prior training and experience, that the offender clearly brandished a semi-automatic pistol-type firearm.

### **PROBABLE CAUSE**

6. On Sunday, September 23, 2012, at approximately 1:11 a.m., an unidentified black male, concealing his identity with a black ski mask while wearing dark clothing, used a concrete block to break the glass as he brandished a black handgun to commit an armed robbery at the Papa John's Pizza Store located at 7891 Gunn Highway in Tampa, Florida. The robber fled with approximately \$1,500.00 cash. Witnesses described the suspect as approximately 5'9" to 6'1" tall and weighing approximately 180 pounds. No video surveillance recordings of the incident were generated. However, a black ski mask matching the one worn by the suspect was recovered approximately 175 yards from the scene, in the direction that the suspect fled, and was submitted to the Florida Department of Law Enforcement (FDLE) crime lab for Deoxyribonucleic Acid (DNA) testing.

7. Specifically, swabs were done on both the inside and outside of the recovered ski mask. FDLE analysts advised that they obtained a DNA sample from these swabs and a match was made with a DNA profile maintained in the Combined DNA Index System (CODIS) database identified as that of Demetrius Renaldo BOWERS (B/M; DOB: April 12, 1984). An FDLE analyst advised Affiant that a confirmation of this preliminary match was completed using an actual sample from BOWERS with an established chain of custody on file through the Florida Department of Corrections (FLDOC). The analyst also acknowledged that the DNA swabs extracted a

mixture of DNA with possibly other contributors. However, the analyst emphasized that the DNA attributed to BOWERS indicates he was the major contributor for the swabs of both the inside and outside of the ski mask. BOWERS' description, as provided from multiple sources such as FLDOC, Florida Driver's and Vehicle Information Database (DAVID), and National Crime Information Center (NCIC) Databases, is that of a black male with a height range of 5'9" to 5'10" with a weight range of 145 to 150 pounds. Based on his birth date, BOWERS is 28 years of age. In addition, the NCIC and FLDOC database inquiries revealed BOWERS has prior felony convictions for the offenses of Aggravated Assault with a Deadly Weapon, Robbery, Burglary, Larceny, Resisting LEO, and Felon in Possession of a Firearm.

8. Investigation into BOWERS' financial information revealed that he regularly utilizes a specific bill payment service. Subpoenaed records and Affiant's interview with security manager at this service revealed that BOWERS has maintained an account with this service since 2005. Affiant confirmed with the manager that BOWERS had updated his account on Tuesday, September 11, 2012, by providing his mobile phone number as 813-900-6804. It is believed that BOWERS would provide an accurate mobile phone number as this service affects his personal finances. This service has utilized this mobile phone number to communicate with BOWERS concerning his financial matters, thereby confirming his possession of the mobile phone assigned this phone number. Affiant also was advised by Hillsborough County Sheriff's Office (HCSO) Detectives that the surveillance deputies assigned to BOWERS over the last few weeks had, while observing BOWERS, made at least one call to this mobile number to confirm his continued possession of this mobile phone. Deputies observed

BOWERS answer the phone call to that number. On November 19, 2012, surveillance deputies, while observing BOWERS, again called BOWERS on the mobile number 813-900-6804 and observed him answer the phone.

9. Pursuant to court orders issued by United States Magistrate Judge Anthony E. Porcelli in case number 8:12-cr-1704-T-AEP, Affiant obtained historical records for the Metro PCS Mobile cellular telephone with number (813) 900-6804. The records indicate the service was established in the name of "Young Strizzle," likely a fictitious name. Affiant knows, based on training and experience, that those intent upon utilizing their mobile phones to facilitate criminal activities usually refrain from providing their true identities when establishing accounts for these mobile phones. It has become such a routine practice that often humorous names are given instead of one resembling a legitimate identity.

10. Affiant obtained and reviewed said Metro PCS records to establish the location of the cell phone in BOWERS' possession at the time of the eight armed robberies, as described below. Affiant reviewed toll records as well as "tower hits" for this mobile phone. It should be noted that these tower hits are generated only upon an incoming or outgoing call or message to this phone. Therefore, for investigative analytical purposes, the relationship of a tower hit to an incident location and time is reliant upon the mobile phone usage. Further, Affiant has learned from Metro PCS authorized experts in prior investigations that the usual maximum range of a tower hit from a mobile phone is approximately three miles due to limitation of signal power from the mobile phone. This expert also advised that a mobile phone will not always hit the

closest tower, as such a tower may be too busy to take the call, and the phone will hit the next available tower within that limited range usually not to exceed the previously noted three miles. Affiant learned that although there are exceptions where signals may be reflected or bounce, the direction from the tower can also be estimated based on which sector of the tower is "hit." Based on this knowledge, Affiant reviewed the data provided by Metro PCS for the above telephone number believed to belong to BOWERS, mapped these tower hits, and established the following pertinent facts in relation to the phone usage and above-described robberies.

11. First, at no time while any of the eight armed robberies were being committed was the mobile phone in use. However, tower hit locations generated prior to and following all of these armed robberies demonstrate the presence of BOWERS' cell phone in the area of these victim stores. This is significant given that BOWERS is known to reside in Tampa, but several of the robberies were geographically diverse to include Pinellas and Hernando counties.

12. The Sunday, September, 23, 2012 armed robbery of the Papa John's Pizza at 7891 Gunn Highway in Tampa, where the ski mask was recovered with DNA matching BOWERS, was not as clearly depicted through the tower hit data as some of the other armed robberies due to such factors as concentration of cell towers in the area and calls before and after the robberies occurring about an hour before and after each incident. Further, the overall tower hit data indicates that the areas BOWERS regularly frequents are within this metropolitan area of Tampa. However, the tower hit data related to this crime indicates by BOWERS' apparent locations that he had opportunity



to have committed this crime. **(Exhibit A)** (The tower hits depicted in Exhibit A and other Exhibits list the following information: date, time of tower hit, directional orientation of sector, the incoming or outgoing number called, the status of the call, the approximate duration of the call, and the designated cell tower number assigned by Metro PCS. The Exhibits progress, showing the tower hits prior to the armed robbery, the date, time, and location of the armed robbery, and the times of the next tower hits following the armed robbery).

13. On Tuesday, September 25, 2012, at approximately 12:31 a.m., an unidentified black male, concealing his identity with a black ski mask while wearing dark clothing, used a concrete block to break the glass as he brandished a black handgun to commit an armed robbery at the Pizza Hut Store located at 4535 East Bay Drive in Largo, Pinellas County, Florida. The robber fled with approximately \$1,615.00 in cash and coins. Witnesses described the handgun as a "9mm" and the suspect as approximately 5'11" to 6'1" tall, weighing approximately 180-190 pounds, and estimated to be 25-35 years of age. No video surveillance recordings of the incident were generated.

14. With regard to this armed robbery of the Pizza Hut in Largo, the tower hit data shows BOWERS travelling across Tampa Bay to the Largo-Clearwater area a few hours prior to the armed robbery and then traveling back to the downtown Tampa area no more than ten minutes following the armed robbery. **(Exhibit B)**.

15. On Thursday, September 27, 2012, at approximately 12:01 a.m., an unidentified black male, concealing his identity with a black ski mask while wearing dark

clothing, used a concrete brick paver to break the glass as he brandished a black over silver handgun to commit an armed robbery at the Domino's Pizza Store located at 13081 Spring Hill Drive in Spring Hill, Florida. The robber fled with approximately \$720.00 cash. Witnesses described the suspect as approximately 6'0" tall, weighing approximately 200 pounds, and estimated to be about 30 years of age. No video surveillance recordings of the incident were generated.

16. With regard to this armed robbery of the Spring Hill Domino's, the tower hit data again shows BOWERS traveling from the downtown Tampa area all the way north to Spring Hill within a few hours before the robbery. The last tower hit occurred less than an hour before the armed robbery, placing BOWERS in Spring Hill, west of the victim store. Most significant was the tower hit occurring no less than ten minutes after the armed robbery, on the closest tower to the north of the store, with the hit occurring on the southwest (260 degree) sector of the tower. Subsequent tower hits into the early morning hours of the next day indicate that BOWERS returned to the downtown Tampa area. **(Exhibit C).**

17. On Sunday, October 7, 2012, at approximately 1:07 a.m., two unidentified black males, concealing their identities, one with a mask and another with a white cloth over his face, used a concrete block to break the glass as one of the individuals brandished a black pistol to commit an armed robbery at the Pizza Hut Store located at 902 Busch Boulevard in Tampa, Florida. The robbers fled with approximately \$1,500.00 cash. The victims described the pistol as a "semi-automatic." With respect to

descriptions of the perpetrators, the victims were only able describe the race and sex of the offenders. No video surveillance recordings of the incident were generated.

18. This Pizza Hut armed robbery was not as clearly depicted through the tower hit data as some of the other armed robberies due to such factors as concentration of cell towers in the area and calls before and after the robberies occurring about an hour before and after each incident. Further, the overall tower hit data indicates that the areas BOWERS regularly frequents are within this metropolitan area of Tampa. However, the tower hit data related to this crime indicates by BOWERS' apparent locations that he had opportunity to have committed this crime. **(Exhibit D).**

19. On Sunday, October 14, 2012, at approximately 2:41 a.m., an unidentified black male, concealing his identity with a black ski mask while wearing dark clothing, kicked through and shattered the glass as he brandished a black and silver semi-automatic handgun to commit an armed robbery at the Wendy's Restaurant located at 13712 Bruce B. Downs Boulevard in Tampa, Florida. The robbers fled with a quantity of cash from the store's proceeds. Witnesses described the suspect as approximately 5'9" to 5'11" tall, weighing approximately 170-180 pounds. This store was equipped with video surveillance recording equipment and the recordings of this incident depicted a suspect consistent with description provided by the victims. Also clearly visible were the semi-automatic pistol brandished by the suspect and what appeared to be the manufacturer's white label near the top of the ski mask, indicating that the mask may have been inside out.

20. As for the Wendy's armed robbery, the tower hit data shows BOWERS' mobile phone in the downtown Tampa area for most of the day, then indicates travel through the New Port Richey area and then into the coverage area encompassing the store. Approximately a half hour before this armed robbery, BOWERS' mobile phone hits the closest tower to the store. This tower is located approximately a mile east of the store, indicating the hit is on the west sector of the tower in the direction of the store. Approximately ten minutes after the robbery occurred, a tower hit indicates BOWERS traveling southwest of the store. Within an hour after the armed robbery, tower hits indicate that BOWERS returned to the usual downtown Tampa area, hitting the most common towers depicted in these records. **(Exhibit E).**

21. On Tuesday, October 16, 2012, at approximately 11:37 p.m., an unidentified black male, concealing his identity with a black ski mask while wearing dark clothing, used a concrete block to break the glass as he brandished a black handgun to commit an armed robbery at the Pizza Hut Store located at 107-17420 Highway 41 North in Lutz, Florida. The robber fled with approximately \$903.00 cash. A victim described the black handgun as a possible "9mm." Witnesses described the suspect as approximately 5'5" tall, weighing approximately 150 pounds, and estimated to be 22-29 years of age. No video surveillance recordings of the incident were generated.

22. As for this first Pizza Hut armed robbery, the tower hit data shows BOWERS' mobile phone in the downtown Tampa area at approximately 10:23 p.m., more than an hour before the armed robbery. This was the last tower hit before the armed robbery. However, only about fifteen minutes after the armed robbery, BOWERS' mobile phone hits a tower located in direct line south of the victim store in

Lutz with indications of a directly north (0 degrees) sector hit on this tower. Again, subsequent tower hits into the early morning hours of Wednesday, October 17, 2012, indicate that BOWERS returned to the usual downtown Tampa area. **(Exhibit F).**

23. On Thursday, November 1, 2012, at approximately 3:07 a.m., two unidentified black males, both concealing their identities with a black ski mask while wearing dark clothing, used a concrete block to break the glass as one brandished a black handgun to commit an armed robbery at the Burger King located at 4103 Hillsborough Avenue West in Tampa, Florida. The robbers fled with a quantity of cash from the store's proceeds. Victims were able to describe the suspects only by their race and sex with both estimated to be between 20 and 24 years of age. This store was equipped with video surveillance recording equipment and the recordings of this incident depicted a suspect consistent with description provided by victims. Also clearly visible were the semi-automatic pistol brandished by the suspect and what appeared to be the manufacturer's white label near the top of the ski mask indicating the mask may have been inside out.

24. This Burger King armed robbery was not as clearly depicted through the tower hit data as some of the other armed robberies due to such factors as concentration of cell towers in the area and calls before and after the robberies occurring about an hour before and after each incident. Further, the overall tower hit data indicates that the areas BOWERS regularly frequents are within this metropolitan area of Tampa. However, the tower hit data related to this crime indicates by BOWERS' apparent locations that he had opportunity to have committed this crime. **(Exhibit G).**

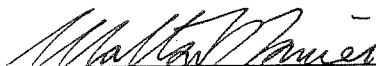
25. On Tuesday, November 4, 2012, at approximately 11:30 p.m., an unidentified black male, concealing his identity as before, again used a concrete block to break the glass as he brandished a handgun to commit a second armed robbery at the Pizza Hut Store located at 107-17420 Highway 41 North in Lutz, Florida. The robber fled with a quantity of cash from the store's proceeds. Affiant has not had opportunity to review this incident in detail, but the presented facts were relayed to Affiant by the investigative agency. No video surveillance recordings of the incident were generated.

26. As for this second armed robbery of the Pizza Hut in Lutz, the tower hit data shows BOWERS' mobile phone in the downtown Tampa area at approximately 10:20 p.m., more than an hour before the armed robbery. This was the last tower hit before the armed robbery. However, as before, within five minutes of the armed robbery, BOWERS' mobile phone hits a tower located in direct line south of the store in Lutz with indications of a directly north (0 degrees) sector hit on this tower. Again, subsequent tower hits into the early morning hours of the next day indicate that BOWERS returned to the usual downtown Tampa area. **(Exhibit H).**


#### Conclusion

27. Based on the above information, Affiant asserts that probable cause exists to believe that Demetrius Renaldo BOWERS, on September 23, 2012 at the Papa John's located at 7891 Gunn Highway in Tampa, Hillsborough County; on September 25, 2012 at the Pizza Hut located at 4535 East Bay Drive in Largo, Pinellas County; and on September 27, 2012 at the Domino's Pizza located at 13081 Spring Hill Drive in Spring Hill, Hernando County, violated laws of the United States, specifically

interference with interstate commerce by robbery, in violation of 18 U.S.C. § 1951(a),  
and brandishing a firearm during and in relation to and in furtherance of a crime of  
violence, in violation of 18 U.S.C. § 924(c).

  
\_\_\_\_\_  
Walton D. Lanier  
Special Agent, ATF

Sworn and subscribed to before me  
this 19 day of November, 2012.

  
\_\_\_\_\_  
MARK A. PIZZO  
UNITED STATES MAGISTRATE JUDGE